

Assembly Bill No. 2022

CHAPTER 367

An act to add Section 76236 to, and to repeal Section 26826.4 of, the Government Code, relating to courthouse construction.

[Approved by Governor September 4, 2002. Filed
with Secretary of State September 5, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2022, Longville. Courthouse construction: filing fee surcharges.

Existing law authorizes San Bernardino County to impose a surcharge on certain filing fees, except in limited civil cases, for purposes of funding its Courthouse Construction Fund.

This bill would eliminate the exception applicable to limited civil cases and authorize specific uses of the county's Courthouse Construction Fund. The bill would also make technical, nonsubstantive changes.

The people of the State of California do enact as follows:

SECTION 1. Section 26826.4 of the Government Code is repealed.

SEC. 2. Section 76236 is added to the Government Code, to read:

76236. In addition to the total filing fee authorized pursuant to Section 26820.4, 26826, or 26827, after giving notice and holding a public hearing on the proposal, the Board of Supervisors of San Bernardino County may impose a surcharge not to exceed thirty-five dollars (\$35) for the filing in superior court of (a) a complaint, petition, or other first paper in a civil or probate action or special proceeding, and (b) a first paper on behalf of any defendant, respondent, intervenor, or adverse party. The surcharge shall be in an amount determined to be necessary by the board of supervisors to supplement the Courthouse Construction Fund, to be deposited in that fund and used solely for the purposes authorized for expenditures from that fund, including, but not limited to, earthquake retrofitting, renovation, and remodeling of all portions of the Central San Bernardino Courthouse in need of retrofitting, renovation, or remodeling, whether or not necessitated by the retrofitting work, including the original courthouse built in 1926 and all subsequent additions thereto. Expenditures made from the Courthouse Construction Fund that are funded from the surcharge shall be made in order of priority to ensure that all necessary earthquake

retrofitting of the Central San Bernardino Courthouse will be completed. Collection of the surcharge authorized by this section shall terminate upon repayment of the amortized costs incurred, or 30 years from the sale of the bond, whichever occurs first. However, the surcharge shall not apply in instances in which no filing fee is charged or the filing fee is waived.

